

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

EAST RIVER CAPITAL, INC. and ERC ACCESS, INC.,

Plaintiffs,

v.

Case No. 19-cv-1398-JPG-GCS

VLD ACCESS, INC., STEPHEN DUNN, ROUTE  
CONSULTANT, INC., and RUMMY INC.,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court for on the response of plaintiffs East River Capital, Inc. and ERC Access, Inc. to the Court's January 13, 2020, order to show cause why, in light of the apparent shared Illinois citizenship of certain plaintiffs and defendants as pled in the Amended Complaint, the Court should not find complete diversity does not exist and should not dismiss this case for lack of subject matter jurisdiction (Doc. 10). The plaintiffs have responded that the pleading of their principal places of business as Illinois was in error and that their principal places of business are, in fact, Texas, rendering the parties completely diverse after all. They ask leave to amend the Amended Complaint by interlineation.

In light of the fact that complete diversity does exist, the Court **DISCHARGES** the order to show cause (Doc. 10). However, since the advent of electronic case filing, there is no practical way to amend a complaint by interlineation. The only viable way now is to file an amended pleading correcting the mistake. Accordingly, the Court **ORDERS** that the plaintiffs shall have five days to file a Second Amended Complaint correcting all jurisdictional allegations.

**IT IS SO ORDERED.**

**DATED: January 15, 2020**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**